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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Andreas BLECKMANN

Confirmation No. 6227

Appln. No. : 09/436,171

Group Art Unit: 1617

Filed : November 9, 1999

Examiner: YU, GINA C

For : PREPARATIONS OF THE W/O EMULSION TYPE WITH AN  
INCREASED WATER CONTENT, AND COMPRISING CATIONIC  
POLYMERS

**SUPPLEMENTAL  
APPLICATION FOR PATENT TERM ADJUSTMENT  
UNDER 37 C.F.R. § 1.705 (d)**

Office of Patent Legal Administration  
Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop IF  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Further to the Application for Patent Term Adjustment Under 37 C.F.R. § 1.705(b), filed on October 4, 2006 ("first Application") and the Issue Notification mailed by the U.S. Patent and Trademark Office on November 1, 2006, which incorrectly indicates a Patent Term Adjustment (PTA) of 561 days, and to the information from the U.S. Patent and Trademark Office Patent Application Information Retrieval (PAIR) system (a copy of the screen shot from the PAIR system being enclosed herewith), Applicant respectfully submits that the Patent Term Adjustment of 561 days as set forth in the PAIR system is incorrect and requests that the Patent Term Adjustment be corrected to indicate the PTA of 644 days for the reasons which follow.

P29696.A01

Statement of Facts

In accordance with the instructions from the U.S. Patent and Trademark Office, Applicant has checked the PAIR site, which indicates the PTA to be 561 days (based on 732 days of PTO delay, less 171 days of Applicant's delay) as noted on the enclosed copy of the screen shot from the PAIR site. However, as explained in the first Application, the maximum number of days attributable to Applicants should be **88, not 171, days**. The first application is incorporated by reference herein in its entirety, especially for its statement of facts and reasoning as to why the correct PTA should be 644 days.

Applicant notes that the data in the PTA History has been reviewed and compared with the data in the records of the undersigned. In this regard, Applicants note that the amount of Applicant delay stated in the PAIR site appears to be incorrectly based on treatment of the first Application as a "miscellaneous incoming letter".

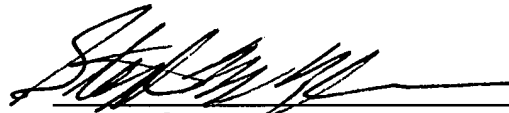
Accordingly, Applicant respectfully requests that the PTA term be corrected to 644 days as opposed to the 0 days currently designated in the PAIR system.

Applicant notes that the above identified application is not subject to any terminal disclaimer.

P29696.A01

Inasmuch as the present application for patent term adjustment is not necessitated by any action or delay by applicant, no fee is believed to necessary for consideration of this application for patent term adjustment. The U.S. Patent and Trademark Office is hereby authorized to credit any overpayment or charge any additional fee to Deposit Account No. 19-0089.

Respectfully submitted,  
Andreas BLECKMANN

A handwritten signature in black ink, appearing to read 'Neil F. Greenblum', written over a horizontal line.

Neil F. Greenblum  
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November 16, 2006  
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Search results as of: 11-15-2006::17:33:32 E.T.

### Patent Term Adjustment

|                              |            |                                      |     |
|------------------------------|------------|--------------------------------------|-----|
| Filing or 371(c) Date:       | 11-09-1999 | USPTO Delay (PTO) Delay (days):      | 732 |
| Issue Date of Patent:        | -          | Three Years:                         | -   |
| Pre-Issue Petitions (days):  | +0         | Applicant Delay (APPL) Delay (days): | 171 |
| Post-Issue Petitions (days): | +0         | Total Patent Term Adjustment (days): | 561 |
| USPTO Adjustment(days):      | +0         | Explanation Of Calculations          |     |

### Patent Term Adjustment History

| Date       | Contents Description                                    | PTO(Days) | APPL(Days) |
|------------|---|-----------|------------|
| 11-21-2006 | Patent Issue Date Used in PTA Calculation               |           |            |
| 10-24-2006 | Dispatch to FDC   |           |            |
| 10-13-2006 | Correspondence Address Change                           |           |            |
| 10-13-2006 | Change in Power of Attorney (May Include Associate POA) |           |            |
| 10-04-2006 | Miscellaneous Incoming Letter                           |           | 49         |
| 10-12-2006 | Application Is Considered Ready for Issue               |           | ↑          |
| 10-04-2006 | Issue Fee Payment Verified                              |           | ↑          |
| 10-04-2006 | Issue Fee Payment Received                              |           | ↑          |
| 07-26-2006 | Mail Notice of Allowance                                |           | ↑          |
| 07-26-2006 | Mail Examiner's Amendment                               |           | ↑          |
| 07-24-2006 | Examiner's Amendment Communication                      |           | ↑          |
| 07-24-2006 | Notice of Allowance Data Verification Completed         |           | ↑          |
| 04-28-2006 | Mail BPAI Decision on Appeal - Reversed                 | 732       |            |
| 04-28-2006 | BPAI Decision - Examiner Reversed                       | ↑         |            |
| 06-27-2005 | Docketing Notice Mailed to Appellant                    | ↑         |            |
| 06-27-2005 | Assignment of Appeal Number                             | ↑         |            |
| 06-22-2005 | Appeal Awaiting BPAI Docketing                          | ↑         |            |
| 01-27-2005 | Mail Examiner's Answer                                  | ↑         |            |
| 01-24-2005 | Examiner's Answer to Appeal Brief                       | ↑         |            |
| 11-12-2004 | Correspondence Address Change                           | ↑         |            |
| 08-06-2004 | IFW TSS Processing by Tech Center Complete              | ↑         |            |
| 08-06-2004 | Date Forwarded to Examiner                              | ↑         |            |
| 07-27-2004 | Appeal Brief Filed                                      | ↑         |            |
| 07-27-2004 | Request for Extension of Time - Granted                 | ↑         |            |
| 06-16-2004 | Mail Advisory Action (PTOL - 303)                       | ↑         |            |
| 06-14-2004 | Advisory Action (PTOL-303)                              | ↑         |            |
| 05-28-2004 | Date Forwarded to Examiner                              | ↑         |            |
| 04-27-2004 | Amendment/Argument after Notice of Appeal               | ↑         |            |
| 04-27-2004 | Notice of Appeal Filed                                  | ↑         |            |
| 04-27-2004 | Workflow incoming amendment IFW                         |           |            |
| 01-27-2004 | Mail Final Rejection (PTOL - 326)                       |           |            |
| 01-26-2004 | Final Rejection   |           |            |
| 01-26-2004 | Case Docketed to Examiner in GAU                        |           |            |

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|------------|--|-----|
| 01-26-2004 | Case Docketed to Examiner in GAU                         |     |
| 11-26-2003 | Case Docketed to Examiner in GAU                         |     |
| 11-23-2003 | Date Forwarded to Examiner                               |     |
| 10-10-2003 | Response after Non-Final Action                          |     |
| 07-10-2003 | Mail Non-Final Rejection                                 |     |
| 07-10-2003 | Non-Final Rejection                                      |     |
| 05-01-2003 | Date Forwarded to Examiner                               |     |
| 04-25-2003 | Request for Continued Examination (RCE)                  |     |
| 05-01-2003 | DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)  |     |
| 04-25-2003 | Workflow - Request for RCE - Begin                       |     |
| 03-26-2003 | Mail Advisory Action (PTOL - 303)                        |     |
| 03-24-2003 | Advisory Action (PTOL-303)                               |     |
| 03-19-2003 | Date Forwarded to Examiner                               |     |
| 03-14-2003 | Amendment after Final Rejection                          |     |
| 01-29-2003 | Mail Final Rejection (PTOL - 326)                        |     |
| 01-27-2003 | Final Rejection  |     |
| 01-14-2003 | Date Forwarded to Examiner                               |     |
| 01-07-2003 | Response after Non-Final Action                          | 122 |
| 01-07-2003 | Request for Extension of Time - Granted                  | ↑   |
| 04-12-2002 | Request for Extension of Time - Granted                  | ↑   |
| 06-07-2002 | Mail Non-Final Rejection                                 | ↑   |
| 06-05-2002 | Non-Final Rejection                                      |     |
| 04-25-2002 | Date Forwarded to Examiner                               |     |
| 04-12-2002 | Continuing Prosecution Application - Continuation (ACPA) |     |
| 04-25-2002 | DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)  |     |
| 04-12-2002 | Request for Extension of Time - Granted                  |     |
| 04-12-2002 | Workflow - Request for CPA - Begin                       |     |

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